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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/560,034	12/08/2005	Hirokazu Ishikawa	053429	8323	
38834 WESTERMAN	7590 09/07/200 I, HATTORI, DANIEL		EXAMINER		
1250 CONNECTICUT AVENUE, NW			ROSE, ROBERT A		
SUITE 700 WASHINGTO	N, DC 20036		ART UNIT	PAPER NUMBER	
	•		3723		
			MAIL DATE	DELIVERY MODE	
			09/07/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		#			
	Application No.	Applicant(s)			
	10/560,034	ISHIKAWA, HIROKAZU			
Office Action Summary	Examiner	Art Unit			
	Robert Rose	3723			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUN 36(a). In no event, however, may a rill apply and will expire SIX (6) MO cause the application to become a	ICATION. I reply be timely filed INTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).			
Status					
 Responsive to communication(s) filed on <u>27 June 2007</u>. This-action is FINAL. 2b) This action is non-final. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213. 					
Disposition of Claims					
4) Claim(s) 1 and 3-14 is/are pending in the application 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) 1,3-7 and 9-14 is/are rejected. 7) Claim(s) 8 is/are objected to. 8) Claim(s) are subject to restriction and/or	vn from consideration.				
Application Papers					
9) The specification is objected to by the Examiner 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the of Replacement drawing sheet(s) including the correction of the original transfer are considered to by the Examiner and the specific acceptance of the specific and the specific acceptance of the specific acceptance o	epted or b) objected to drawing(s) be held in abeya on is required if the drawin	nnce. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR 1.121(d)).		
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priori application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in sity documents have bee (PCT Rule 17.2(a)).	Application No n received in this National Stage			
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	Paper No	Summary (PTO-413) (s)/Mail Date Informal Patent Application 			

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DETAILED ACTION

- 1. Claim 2 remains canceled.
- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1, 3, 6-7, and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuji(Japan No. 06-219762) in view of Wakayama et al. Yuji(Japan No. 06-219762) disclose a diamond wheel for forming a scribe line on a surface of a brittle material comprising substantially all of the subject matter set forth in Applicant's claims above. Note scribing disc illustrated in figures 1-3, and having grain size within the range recited. Wakayama et al disclose a scribing disc having an opening angle and pitch within the ranges recited by Applicant. To provide the scribing disc of Yuji with an opening angle and pitch within the range recited, which has been shown to produce acceptable scribing for brittle materials such as glass, would have been obvious in view of Wakayama et al.
- 4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuji(Japan No. 06-219762) in view of Wakayama et al, and further in view of Ishikawa. To further provide means for oscillating the scribing tool while traversing it over the surface of the brittle material to be cut, as disclosed in Ishikawa, in order to improve the subsequent breaking step, would have been obvious as taught by Ishikawa.

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5. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Applicant's arguments filed June 27, 2007 have been fully considered but they are not persuasive. Applicant has introduced the limitation into independent claim 1, of adhering the diamond grains to the blade, and pressurizing or sintering the diamond wheel to which the diamond grains are adhered. Sintering of the abrasive coating to the tool substrate is an old and well known method of abrasive tool manufacturing, and is used to form a strong bond between the abrasive and support. To form the diamond wheel in this manner for this reason would have been obvious to those of ordinary skill in the art. Wakayama et al is deemed to teach opening angles and pitch within the ranges recited by Applicant. Further, oscillation of the tool support to improve the subsequent breaking step, is deemed to be taught by Ishikawa.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Rose whose telephone number is (571) 272-4494. The examiner can normally be reached on Monday through Thursday, and on alternate Fridays, from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail, can be reached at (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert Rose Primary Examiner

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Rr

August 31, 2007.